

in this Application, Qwest makes available to CLECs line sharing, line splitting, and loop splitting (similar to line splitting, in cases where the CLEC purchases unbundled loops rather than UNE-P). Stewart Line Sharing Decl. at ¶¶ 57-70; *see also* SGAT §§ 9.4 (line sharing), 9.21 (line splitting), 9.24 (loop splitting). Qwest provides line sharing in a timely and nondiscriminatory manner and in a manner that provides CLECs with a meaningful opportunity to compete.

Qwest is able to meet CLECs' demand for line sharing in commercial volumes. As of March 31, 2002, Qwest had 15,711 unbundled shared loops in service across its 14-state region. This figure included 3,994 shared loops for five CLECs in Colorado, three shared loops for one CLEC in Idaho, 134 shared loops for two CLECs in Iowa, and no shared loops in service in either Nebraska or North Dakota. Stewart Line Sharing Decl. at ¶ 42. To date, no CLECs have requested either line splitting or loop splitting in the states included in this Application. Stewart Line Sharing Decl. at ¶ 58. Qwest's commercial performance with respect to line sharing between January and April 2002 is discussed in the following sections.

(1) Colorado Performance

Installation. Qwest's commercial performance in Colorado demonstrates that it is provisioning line sharing in a nondiscriminatory manner. Between January and April, Qwest met more than 99% of its installation commitments for CLECs, exceeding the negotiated 95% performance benchmark for installation commitments in all four months. Qwest also met the 3.3-day benchmark for average installation interval in all four months. Qwest met the parity standard for installation service quality in all four months as well. In short, Qwest's line sharing installation performance in Colorado was perfect between January and April. Stewart Line Sharing Decl. at ¶ 44.

Maintenance and Repair. Qwest's repair record for line sharing shows missed results, but a close review of the data shows Qwest's performance is strong. Between January and April, the overall trouble rate for line sharing maintenance and repair was never higher than 2.4%. Although the trouble rate was statistically higher for CLECs in two of the four months, two points show that this did not negatively affect the CLECs. First, the trouble rate is extremely low; almost always less than the 2% that the Commission has found acceptable for analog loops, a less complicated service than line sharing. Secondly, the trouble rate drops almost 1% when trouble reports with "no troubles found" are excluded. This modified measure tracks the number of reported troubles that initially show no trouble and do not have another reported trouble within 30 days. This measure shows that Qwest provided parity service to CLECs around trouble rate in three of the last four months.

The remaining repair data initially shows missed results. Qwest cleared "out of service" troubles at parity with retail in January through April, irrespective of whether a technician dispatch was required. However, the percentage of all troubles cleared (MR-4), and mean time to restore (MR-6) are often outside of parity. Line sharing is a unique service, as both voice and data are on the same circuit. As such, it is commonplace and expected to receive a higher percentage of trouble reports than for POTS alone, and many of these troubles are for *other than* an out-of-service situation. That is exactly what the data bear out. For example, in January, Qwest received 52 CLEC trouble reports for line-shared loops that did not require a technician dispatch. Of those 52 reports, only 18 (35%) were for an out-of-service situation. Other months had even a lower percentage of out of service situations. For the retail comparable, however, (which is an aggregate of residential and business POTS) 52% of the troubles reported in January were out-of-service situations. Out-of-service situations have a

higher priority in the repair queue than a non-out-of-service situation. Thus, from the outset, a much higher percentage of retail trouble reports have a higher priority. It is not surprising, therefore, that the mean time to restore is shorter for retail than for wholesale. However, it is important to note that Qwest still cleared these CLEC troubles in an average of 22 hours or less between January and April. This is better than the 24-hour objective to clear out of service troubles. Stewart Line Sharing Decl. at ¶¶ 45-47.

Similarly, line-shared loop repairs are more complex. For retail POTS, Qwest knows the troubles are its responsibility to fix. As described above, however, troubles on shared loops may be the CLEC's responsibility to repair. It is more complex to identify and clear troubles on line-shared loops. Thus, while several of the results for these two measures initially show statistical disparity, a review of the data shows that Qwest consistently clears over 80% of troubles on time (and usually over 90% on time), with a mean time to restore usually under 24-hours. *Id.*

(2) Idaho Performance

Installation. Qwest's commercial performance in Idaho demonstrates, for the few shared loops installed to date, that it is provisioning line sharing in a nondiscriminatory manner. Between January and April, Qwest met 100% of its installation commitments to CLECs, meeting the negotiated performance benchmark for installation commitments in every month. Qwest also met the parity standard for installation service quality in every month. In short, Qwest did not record a single performance disparity in any category for line sharing installation in Idaho between January and April. Stewart Line Sharing Decl. at ¶ 48.

Maintenance and Repair. The CLEC trouble rate for maintenance and repair between January and April was 0.00%. Qwest met the parity standard in all four months.

Because there were no CLEC trouble reports, Qwest recorded no CLEC activity under any other maintenance and repair PID. Stewart Line Sharing Decl. at ¶ 49.

(3) Iowa Performance

In Iowa, Qwest's performance in provisioning and repairing shared loops has been outstanding. Qwest met 100% of its CLEC installation commitments between January and March, surpassing the negotiated benchmark in every month. Qwest also met the negotiated benchmark for average installation interval in all four months. Qwest met the parity standard for installation service quality in all four months as well. In short, Qwest's line sharing installation performance in Iowa was perfect between January and April. Stewart Line Sharing Decl. at ¶ 50.

Maintenance and Repair. Qwest's performance with respect to maintenance and repair of shared loops is also impressive. Between January and April, the overall trouble rate for line sharing was never higher than 0.85%, and Qwest met the parity standard in all four months. Qwest's only maintenance and repair performance disparity in Iowa was in January, where Qwest failed to clear one out-of-service trouble within the 24-hour objective. Apart from that, Qwest's performance was perfect. Stewart Line Sharing Decl. at ¶ 51.

(4) Nebraska Performance

There were no CLEC orders for line sharing in Nebraska between January and April, so there is no performance to report. Stewart Line Sharing Decl. at ¶ 52.

(5) North Dakota Performance

There were no CLEC orders for line sharing in North Dakota between January and April, so there is no performance to report. Stewart Line Sharing Decl. at ¶ 53.

Finally, in addition to the commercial data discussed above, the independent Third Party Test of Qwest's OSS conducted by KPMG found Qwest's line sharing procedures to be satisfactory. Stewart Line Sharing Decl. at ¶ 54.

5. Checklist Item 5: Unbundled Local Transport and Dark Fiber

Qwest is complying with its obligation to offer “[l]ocal transport from the trunk side of a wireline local exchange carrier switch unbundled from switching or other services.”

47 U.S.C. § 271(c)(2)(B)(v). Qwest provides this service for dedicated transport, shared transport, and dark fiber transport. Qwest has concrete and specific legal obligations pursuant to Sections 9.6, 9.8, 9.9 and 9.12 of its SGAT to provide CLECs with unbundled dedicated transport on a nondiscriminatory basis.

a) Dedicated Transport

Dedicated transport refers to “ILEC transmission facilities dedicated to a particular customer or carrier that provide telecommunications between wire centers owned by ILECs or requesting telecommunications carriers, or between switches owned by ILECs or requesting telecommunications carriers.” *Local Competition First Report and Order* ¶ 440. Qwest’s dedicated transport offerings provide CLECs with a single transmission path between Qwest end offices, serving wire centers, or tandem switches in the same LATA and state; they also include a bandwidth-specific transmission path between the Qwest serving wire center and the CLEC’s wire center or an interexchange carrier’s point of presence located within the same Qwest serving wire center area. Declaration of Karen A. Stewart, Unbundled Local Transport (“Stewart Transport Declaration”), Att. 5, App. A, at 6. Qwest offers dedicated transport in DS0 through OC-192 bandwidths, as well as such higher capacities as evolve over time. *Id.* at 6-7.

If a CLEC orders a UNE combination that includes dedicated transport facilities, Qwest will perform requested and necessary cross connections between UNEs in the same manner that it would perform such cross connections for its own end user customers. *Id.* at 8. When transport is ordered separately (*i.e.*, not as part of a UNE combination), the CLEC is responsible for performing cross connections at its collocation or other mutually determined

demarcation point, but such cross connections are not required when a CLEC orders a continuous dedicated transport element from one point to another. *Id.* To the extent that collocation is required for a CLEC to take advantage of dedicated transport facilities, the CLEC may utilize any form of collocation. *Id.*

(1) Qwest Is Providing Commercial Volumes at an Acceptable Level of Quality.

Qwest's commercial volumes and performance demonstrate that Qwest is providing dedicated transport to CLECs in Colorado, Idaho, Iowa, Nebraska and North Dakota in a nondiscriminatory manner. As of March 31, 2002, Qwest had in service 92 DS1 transport facilities and 124 DS3 transport facilities for nine CLECs in Colorado; 18 DS1 transport facilities and 5 DS3 transport facilities for two CLECs in Idaho; 30 DS1 transport facilities and no DS3 transport facilities for three CLECs in Iowa; 29 DS1 transport facilities and 16 DS3 transport facilities for four CLECs in Nebraska; and nine DS1 transport facilities and one DS3 transport facility for three CLECs in North Dakota. Stewart Transport Decl. at 14, 15-19. Qwest's performance record in provisioning and maintaining these facilities over the past four months has been exemplary.

(2) Qwest's Commercial Performance is Excellent.

Installation Performance. Qwest is provisioning unbundled local transport to CLECs in a nondiscriminatory manner. From January through April 2002, where there is data to report, under the primary performance measurements for DS1 and DS3 installation – commitments met, intervals and quality – Qwest achieved parity under every PID with very rare exceptions. *Id.* at 14-19. In fact, in the exceptional instances where Qwest experienced a miss, the miss was the result of extremely low volume skewing the results. *Id.* at 14-15, 17.

Maintenance and Repair Performance. Qwest's maintenance and repair performance over the past four months was excellent. Under each of the primary performance measurements for DS1 maintenance and repair – trouble clearance, mean time to restore service, repair repeat report rate, and trouble rate – Qwest achieved parity between retail and wholesale performance in all four months, with only two misses under a single PID in one state for the entire four-month period. *Id.* at 15-19. Even those two misses are not competitively significant, because the difference between retail and wholesale performance was less than one percent. *Id.* at 15. Thus, Qwest is clearly providing nondiscriminatory unbundled local transport to CLECs.

b) Shared Transport

Shared transport consists of transmission facilities shared by more than one carrier, including Qwest, between end office switches, between end office switches and tandem switches, and between tandem switches in Qwest's network. *Id.* at 19. Qwest provides shared transport transmission facilities between end office switches, between end office and tandem switches, and between tandem switches in its network, as required by the Commission. *Id.* at 19-20. Qwest provides shared transport in a way that enables the traffic of a CLEC to be carried on the same transport facilities that Qwest uses for its own traffic. *Id.* at 20.

ILECs are required to provide unbundled shared transport only where they also provide unbundled switching (as this Commission has noted, it is not technically feasible for a competitor to use shared transport with self-provisioned switching). *Id.* In compliance with this requirement, Qwest offers unbundled shared transport in conjunction with unbundled local switch ports and as part of combinations such as its UNE-P offering. *Id.* Shared transport is automatically provisioned when a CLEC orders switching unless the CLEC requests otherwise. *Id.*

Qwest has demonstrated its ability to provide shared transport through its success in provisioning UNE-P, a standard UNE combination that consists of an unbundled loop, shared transport and unbundled switching. *Id.* at 22.

c) Dark Fiber Transport

The FCC has identified dark fiber as a network element that must be unbundled in both the loop plant and interoffice facilities. *UNE Remand Order* ¶ 326. The FCC's unbundling requirements went into effect for dark fiber on May 17, 2000. 47 C.F.R. § 51.319(d). Following the release of the *UNE Remand Order*, Qwest modified its SGAT to include a legally binding obligation to provide unbundled access to deployed dark fiber. Declaration of Karen A. Stewart, Dark Fiber ("Stewart Dark Fiber Decl."), Att. 5, App. A at 5. Qwest's dark fiber offerings include interoffice, loop and subloop dark fiber, in accordance with FCC requirements. *Id.*

Qwest provides unbundled dark fiber of the same quality as the fiber facilities that Qwest uses to provide service to its own end user customers. *See* SGAT § 9.7.2.1. Qwest reserves a nominal quantity (not more than five percent of the fibers in a sheath or two strands, whichever is greater) of fibers in a cable to maintain network survivability and reliability. Stewart Dark Fiber Declaration at 6. CLECs may obtain up to 25% of available dark fibers or four dark fiber strands, whichever is greater, in each fiber cable segment over a twelve-month period. *Id.* Qwest does not reserve fiber for unknown and unspecified future growth; it only retains fiber for its own use that has been specifically earmarked to serve customer needs in the near future. *Id.*

Since January 2001, Qwest has received 305 Initial Records Inquiries ("IRIs") in Colorado, none in Idaho, none in Iowa, three in Nebraska, and none in North Dakota. *Id.* at 19. As of March 31, 2002, five dark fiber loops were in service in Colorado, two in Iowa, and none in Idaho, Nebraska or North Dakota. *Id.* As of the same date, five dark fiber transport facilities

were in service in Iowa, and none were in service in Colorado, Idaho, Nebraska or North Dakota. The disparity between the number of IRIs and the amount of dark fiber in service results not from any defect in Qwest's provisioning process, but rather from a lack of follow-up on the part of the inquiring CLECs or a lack of available dark fiber in the requested areas. *Id.*

In general, Qwest has received so few provisioning requests for unbundled dark fiber within Colorado, Idaho, Iowa, Nebraska and North Dakota, and throughout the entirety of its fourteen-state region, that meaningful evaluation of the data is difficult. *Id.* at 17-20. In fact, on January 17, 2002, the TAG determined that testing relating to certain dark fiber provisioning processes (Exception 3010) should be suspended due to low commercial volumes. *Id.* at 17. Testing was subsequently suspended and Exception 3010 was closed as "Unable to Determine". *Id.* However, through the Third Party Test, Qwest's responses to CLECs' dark fiber inquiries and provisioning requests have been analyzed and thoroughly refined, completely satisfying the relevant dark fiber evaluation criteria. *Id.* at 17-18.

Qwest's new and improved ordering and provisioning process ensures nondiscriminatory treatment once CLECs begin to request unbundled dark fiber in significant numbers. *Id.* at 18-20. The Commission has not analyzed dark fiber performance in any of its Section 271 orders. However, the nondiscriminatory ordering and provisioning processes outlined in this Application establish that Qwest meets its dark fiber obligations.

6. Checklist Item 6: Unbundled Local Switching

Qwest satisfies the requirements of Section 271(c)(2)(B)(vi) of the Act concerning unbundled local switching. Specifically, Qwest provides local circuit switching unbundled from transport, local loops and other services. ^{31/} As required by the Commission,

^{31/} 47 U.S.C. § 251(c)(3) and 47 C.F.R. § 51.31(c)(1); Simpson/Stewart Decl. at ¶ 12. The one exception to Qwest's provision of unbundled local switching, in accordance with FCC rules,

Qwest provides access to line-side and trunk-side facilities, basic switching functions, vertical features and customized routing. 32/ Qwest also provides access to local tandem switching facilities and packet switching in a non-discriminatory manner, as required by the Act and the Commission's rules. 33/

Qwest has a binding legal obligation to provide unbundled local circuit and local tandem switching to CLECs through its SGAT and through state-approved interconnection agreements. 34/ Qwest also has a contractual obligation to provide unbundled packet switching to CLECs in certain circumstances through its SGAT. 35/ Unbundled packet switching includes transport facilities, ATM electronics, and the Digital Subscriber Line Access Multiplexer ("DSLAM") functionality with the routing and addressing functions of the packet switch necessary to generate the virtual channel. Packet switching may also include use of a shared, line-split or distribution subloop.

Qwest offers unbundled local switching in combination with other UNEs or on a stand-alone basis. 36/ At this time there are no orders for switching as a stand-alone product. However, Qwest does successfully and promptly install and repair unbundled local switching as

occurs in those instances when the requesting CLEC serves an end user customer with four or more voice grade lines or equivalents, provided that the incumbent LEC provides nondiscriminatory access to EELs in the top 50 metropolitan statistical areas in the country (known as the switching "carve-out"). *Id.* at ¶¶ 19-20.

32/ *New York 271 Order* at 4127-29, ¶¶ 343, 346 and *Kansas/Oklahoma 271 Order* at 6361, ¶ 242; Simpson/Stewart Decl. at ¶¶ 12-14

33/ 47 C.F.R. § 51.319(c)(3); Simpson/Stewart Decl. at ¶¶ 12-14, 48-53.

34/ SGAT §§ 9.10 & 9.11; Simpson/Stewart Decl. at ¶ 4.

35/ SGAT § 9.20; Simpson/Stewart Decl. at ¶ 48.

36/ SGAT §§ 9.23 and 9.11; Simpson/Stewart Decl. at ¶ 19.

part of UNE-P for CLECs in commercial volumes. 37/ Qwest's UNE-P performance is discussed in this brief under Checklist Item 2.

All the features, functions and capabilities of Qwest's switches are available to CLECs that purchase unbundled local switching, including access to all vertical switch features that are loaded in a Qwest switch. 38/ Even though not required to do so by this Commission, Qwest allows CLECs to request features that are not currently resident in the switch, 39/ and to purchase features in any technically feasible combination. 40/

Packet Switching. Qwest offers CLECs unbundled packet switching in a nondiscriminatory manner when the four conditions established by the Commission are met in a specific geographic area. 41/ Unbundled packet switching provides the functionality of delivering and routing packet data units via a virtual channel to a CLEC demarcation point.

To date, no CLECs have ordered packet switching from Qwest. Qwest has developed methods and procedures for providing stand-alone unbundled local switching and is prepared to provision it upon request in a manner that allows CLECs a meaningful opportunity to compete. Simpson/Stewart Switching Decl. at ¶¶ 58-59.

37/ Simpson/Stewart Decl. at ¶¶ 22-23.

38/ SGAT § 9.11.2.1; Simpson/Stewart Decl. at ¶ 29.

39/ SGAT §§ 9.11.2.1 and 9.11.4.4. *See also Louisiana II 271 Order* 13 FCC Rcd at 20727-28 ¶ 218; Simpson/Stewart Decl. at ¶ 29.

40/ *Louisiana II 271 Order* at 29728 ¶ 219; Simpson/Stewart Decl. at ¶ 29.

41/ SGAT § 9.20.2.1; Simpson/Stewart Decl. at ¶¶ 43, 46.

7. Checklist Item 7: Access to 911, E911, Directory Assistance, and Operator Call Completion Services

a) 911 and Enhanced 911 Services

Qwest offers CLECs unbundled access to its 911 and Enhanced 911 ("E911") services, databases and interconnection, including the provision of dedicated trunks from the CLECs' switching facilities to the 911 control office, at parity with what Qwest provides to itself. *See* 47 U.S.C. § 271(c)(2)(B)(vii). Qwest maintains 911 database entries for CLECs with the same accuracy and reliability that it maintains entries for its own customers. Declaration of Margaret S. Bumgarner ("Bumgarner Item 7 Decl."), Att. 5, App. A, at 11-14. From an end user's perspective, a CLEC's 911 and E911 services, provided through access to Qwest's network, are indistinguishable from Qwest's 911 and E911 services. *Id.*

Qwest's E911 database is managed by a third party, Intrado, Inc. ("Intrado") (formerly SCC Communications Corp.). *Id.* at 9. The SGAT and Qwest's contract with Intrado require Qwest to provide and manage database entries for CLECs with the same accuracy and reliability as that provided for Qwest. *Id.* 12. Qwest offers the same database updates for reseller CLECs and CLECs using unbundled local switching that Qwest provides for its own customers. *Id.* at 5, 18. Facilities-based CLECs with their own switches make direct arrangements with Intrado for providing database updates. *Id.* at 5, 14. CLECs make the same direct arrangements with Intrado for providing and processing database updates that Qwest makes with Intrado. Qwest, through Intrado, provides CLECs with nondiscriminatory error correction for database records. *Id.* at 14-19.

(1) Qwest Is Providing Commercial Volumes at an Acceptable Level of Quality.

Enhanced 911 service is available in most of Colorado, Idaho and Nebraska; a few areas in those states, however, are still served by Basic 911 services. Enhanced 911 service

is available throughout Iowa and North Dakota, thus, Qwest no longer provides Basic 911 service in either of these states.

As of March 31, 2002, Qwest had in service 696 E911 trunks for 22 facilities-based CLECs in Colorado; 24 E911 trunks for four facilities-based CLECs in Idaho; 66 E911 trunks for nine facilities-based CLECs in Iowa; 68 E911 trunks for five facilities-based CLECs in Nebraska; and two E911 trunks for one facilities-based CLEC in North Dakota. Bumgarner Item 7 Decl. at 29, 32, 34-36. Qwest also was providing access to 911/E911 service for 34 reseller CLECs and CLECs using unbundled local switching in Colorado; 14 in Idaho; 16 in Iowa; nine in Nebraska; and 18 in North Dakota. *Id.*

(2) Qwest's Commercial Performance Is Excellent

With respect to the average time required for Qwest to update the E911 database, due to the nondiscriminatory manner ("parity by design") in which these updates are performed, the performance results are not disaggregated for Qwest and CLECs. *Id.* at 13. The E911 database updates (completed service orders) for Qwest and CLECs are commingled and sent together in a batch data transmission at the end of each business day. *Id.* at 13-14.

With respect to 911/E911 trunk installations, commitments met, and service quality, maintenance and repair, from January through April 2002, Qwest's commercial performance in every Application state was excellent. Where there are data to report, Qwest achieved parity between wholesale and retail service during the entire four-month period. *Id.* at 28-36. Moreover, with respect to 911/E911 trunk maintenance and repair performance measurements, where there are data to report, Qwest achieved parity under every PID -- including troubles cleared, time to restore, repair repeat rate and trouble rate in the entire four-month period. *Id.*

b) Directory Assistance Services and Operator Services

Qwest also offers CLECs nondiscriminatory access to directory assistance services and databases and operator services. 47 U.S.C. §§ 271(c)(2)(B)(vii)(II), (III); 251(b)(3). Qwest provides CLECs access to the same directory assistance services and operator services that Qwest provides to its retail end user customers. Declaration of Lori Simpson ("Simpson Item 7 Decl."), Att. 5, App. A at 4. All callers, regardless of the caller's or called party's local service provider, can access Qwest's directory assistance by dialing "411," "1+411," or "1+NPA+555-1212," for example, and can access operator services by dialing "0" or "0" plus a telephone number. *Id.* The design of Qwest's processes for providing directory assistance services and operator services ensures that all calls are handled in the same manner regardless of whether they are originated by CLEC end users or by Qwest end users. *Id.* at 18. Qwest handles all directory assistance and operator calls on a first-come, first-served basis. *Id.* Qwest also provides branding for CLECs that purchase these services from Qwest. *Id.* at 22-24. Qwest makes Qwest personnel available to CLECs to assist them in accessing Qwest's directory assistance services and operator services. *Id.* at 18-19.

Qwest also offers CLECs which elect to provide directory assistance or operator services themselves or through a third party, nondiscriminatory access to Qwest's directory assistance database on a real-time, "read only" or "per dip" basis. *Id.* at 25-27. In addition, a CLEC can purchase access in bulk to Qwest's directory assistance database to create its own directory assistance database. *Id.*

(1) Qwest Is Providing Commercial Volumes at an Acceptable Level of Quality

As of March 31, 2002, Qwest had provided directory assistance and operator services to 34 resellers in Colorado; 14 resellers in Idaho; 16 resellers in Iowa; 11 facilities-based

CLECs and 14 resellers in Nebraska; and 18 resellers in North Dakota. Simpson Item 7 Decl. at 37, 39, 40, 42, 43. As of the same date, Qwest had in service 141 directory assistance trunks for seven facilities-based CLECs, and 239 operator service trunks for 11 facilities-based CLECs in Colorado; 20 directory assistance service and/or operator service trunks to three facilities based CLECs in Idaho; 18 directory assistance trunks for three facilities-based CLECs, and 34 operator service trunks for five facilities-based CLECs in Iowa; and four directory assistance trunks for one facilities-based CLEC, and 42 operator service trunks for two facilities-based CLECs in North Dakota. *Id.*

(2) Qwest's Commercial Performance Is Excellent

With respect to the average time required for Qwest's directory assistance system and operator service system to answer calls, due to the nondiscriminatory manner ("parity by design") in which such calls are answered, the performance results are not disaggregated for Qwest and CLECs. *Id.* at 22. From January through April 2002, Qwest's directory assistance system answered calls in an average of between 4.86 and 7.18 seconds in Colorado and Idaho and between 8.06 and 9.48 seconds in Iowa, Nebraska and North Dakota. *Id.* at 37, 39-43. Qwest's operator service system answered calls in an average of between 6.29 and 9.45 seconds in Colorado and Idaho, and between 8.72 and 10.07 seconds in Iowa, Nebraska and North Dakota. *Id.*

Qwest's wholesale volume and performance data results confirm that it is providing competitors in each of the application states with access to 911/E911 services, databases, and interconnection, directory assistance services and databases, and operator services in compliance with the Act. *See* Bumgarner Item 7 Decl. at 28-36; Simpson Item 7 Declaration at 36-43. All of the State Authorities have found that Qwest satisfies Checklist Item 7 of Section 271.

8. Checklist Item 8: White Pages Listings

Qwest provides CLECs with white pages directory listings that are nondiscriminatory in appearance and integration, and that have the same accuracy and reliability that Qwest provides for its own customers. 47 U.S.C. § 271(c)(2)(B)(viii); Declaration of Lori Simpson ("Simpson Item 8 Decl."), Att. 5, App. A, at 7-8.

Qwest's white pages listings service includes: (1) placing and updating the names, addresses, and telephone numbers of CLEC end user customers in Qwest's listings databases consistent with the CLEC's instructions, and (2) furnishing listings to Dex and third-party directory publishers on a nondiscriminatory basis for use in publishing local white pages directories, also consistent with the CLEC's instructions. Simpson Item 8 Decl. at 9. Qwest offers CLECs the exact same listings options (primary, premium, and privacy) that Qwest provides to its own customers, with the same level of confidentiality. *Id.*

Primary listings are included in both the white pages of the local telephone directory and Qwest's directory assistance database. *Id.* at 9. Qwest provides primary listings at no charge to CLECs. *Id.* Premium listings also are included in both the local white pages directories and Qwest's directory assistance database. *Id.* Nonpublished telephone numbers are omitted from both Qwest's directory assistance database and white pages directories. *Id.* at 10. Qwest treats CLEC end user listings with the same level of confidentiality as Qwest's end user listings. *Id.*

Qwest provides CLECs with white pages listings that are nondiscriminatory in both appearance and integration. *Id.* Qwest integrates CLEC end user listings with Qwest, other CLECs, and independent telephone company listings in Qwest's listings database. Qwest's processes for entry and publication of white pages directory listings make no distinction between customers of CLECs and customers of Qwest. *Id.* Qwest provides its integrated listings to Dex

and to other directory publishers for the purpose of publishing white pages directories. SGAT § 10.4.2.8.

In addition, white pages directory listings for both Qwest end user and CLEC end user customers appear in the same font, size, and typeface, and without any separate classification or distinguishing characteristics. SGAT § 10.4.2.10. White pages listings for CLEC customers are included alphabetically and are indistinguishable from Qwest's listings. Simpson Item 8 Decl. at 10-11.

Qwest uses the same procedures for Qwest listings and CLEC listings to ensure that CLEC end users receive listings with the same accuracy and reliability as Qwest provides for its own end users. *Id.* at 14. Qwest and CLEC end user listings are commingled in the Qwest listings database. *Id.* Qwest submits a single daily listings file containing commingled listings to its directory publisher, Dex, for inclusion in white pages directories. *Id.* Dex publishes CLEC and Qwest end user listings under the terms and conditions of the contract between Qwest and Dex. *Id.* at 14-15.

a) Qwest Is Providing Commercial Volumes at an Acceptable Level of Quality

As of March 31, 2002, Qwest had included a total of 227,234 Colorado CLEC listings, at least 16,158 Idaho CLEC listings, 121,568 Iowa CLEC listings, 89,827 Nebraska CLEC listings, and 31,318 North Dakota CLEC listings in its listings database and submitted those listings that are non-private listings to Qwest's directory publisher. *Id.* at 22-30.

b) Qwest's Commercial Performance is Excellent

With respect to the average time required for Qwest to complete updates to the directory assistance database, due to the nondiscriminatory manner ("parity by design") in which these updates are processed, the performance results are not disaggregated for Qwest and

CLECs. *Id.* at 13. From January through April 2002, Qwest completed updates to the directory listings database in an average of between 0.08 and 0.12 seconds in Colorado; between 0.08 and 0.11 seconds in Idaho; and between 0.09 and 0.13 seconds in Iowa, Nebraska and North Dakota. *Id.* at 22-30. In the same period, Qwest completed between 93.77% and 96.36% of updates without error in Colorado; between 95.96 and 97.63 percent of updates without error in Idaho; between 94.11 and 94.94 percent of updates without error in Iowa; between 90.51 and 93.60 percent of updates without error in Nebraska; and between 90.81 and 94.19 percent of updates without error in North Dakota. *Id.*

Qwest provides CLECs with nondiscriminatory access to white pages directory listings in compliance with Sections 251 and 271 of the 1996 Act and the Commission's Rules. All of the State Authorities have found that Qwest satisfies Checklist Item 8 of Section 271.

9. Checklist Item 9: Numbering Administration

Qwest follows both industry guidelines and the FCC's rules regarding numbering administration. Qwest has concrete and specific legal obligations pursuant to Section 13.2 of its SGAT and its state regulator-approved interconnection agreements to comply with industry guidelines and FCC rules regarding numbering administration. Declaration of Margaret S. Bumgarner ("Bumgarner Item 9 Decl.") at 9-11.

Qwest stopped performing any numbering administration or assignment functions on September 1, 1998, when the Commission transferred those functions to Lockheed Martin (and later to NeuStar), as the North American Numbering Plan Administrator ("NANPA"). *Id.* at 7-9. Since that time, Qwest has complied with all industry guidelines and Commission rules applicable to carriers with respect to numbering administration. *Id.* at 11-15. For example, Qwest provides accurate reporting of numbering data to NeuStar in accordance with the Alliance for Telecommunications Industry Solutions Central Office Code ("NXX") Assignment

Guidelines ("Assignment Guidelines") and in accordance with the Commission's number assignment rules. *Id.* at 14. Qwest also provides accurate and complete information regarding routing information, rating information, and effective dates for NXX codes assigned to Qwest to the national Local Exchange Routing Guide ("LERG"). *Id.* at 14-15.

Qwest has devoted resources and implemented processes to ensure that it completes the programming of its switches necessary to recognize new NXX codes accurately and prior to NXX code activation dates. *Id.* at 12. Qwest also has implemented procedures that CLECs can follow to report suspected problems with NXX code activations. *Id.* For NXX codes, Qwest complies with the Assignment Guidelines and with the Commission's number assignment rules in administering the numbers within those NXX codes and in applying for new NXX codes. *Id.*

The performance results for the relevant PIDs demonstrate that Qwest activates NXX codes for CLECs in a timely and complete manner on a nondiscriminatory basis. *Id.* at 16, 19-23. Where data are available, from January through April 2002, Qwest loaded and tested 100 percent of CLEC NXX codes prior to the LERG effective date or the revised effective date in Colorado, Iowa, Nebraska and North Dakota. *Id.* There were no CLEC code activations in Iowa in the four-month period, and no Qwest NXX code activations in any of the Application states from January through April 2002. *Id.*

Qwest complies with all number administration rules, regulations, and guidelines applicable to carriers as established by the FCC and industry forums. The State Authorities all have found that Qwest has satisfied the requirements of Checklist Item 9.

10. Checklist Item 10: Databases and Associated Signaling

Qwest provides nondiscriminatory access to its call-related databases and the associated signaling necessary for call routing and completion in compliance with Section

271(c)(2)(B)(x) of the 1996 Act and the FCC's rules. Qwest has concrete and specific legal obligations to provide CLECs with such access pursuant to its SGAT and its state regulator-approved interconnection agreements. Declaration of Margaret Bumgarner ("Bumgarner Item 10 Decl."), Att. 5, App. A, at 3-4, 8.

Consistent with the FCC's rules, Qwest provides CLECs with unbundled, nondiscriminatory access to its signaling network, including signaling links and signaling transfer points ("STPs"), and to Qwest's call-related databases and service management systems ("SMS"). Bumgarner Item 10 Declaration at 11. Reseller CLECs and CLECs using unbundled local switching have exactly the same access to Qwest's signaling network that Qwest uses to provide services to its own retail customers. *Id.* at 16. CLECs that use their own switching facilities can obtain access to Qwest's signaling network by self-provisioning or purchasing unbundled signaling links to facilitate signaling among their own switches, Qwest end office and tandem switches, the switches of other carriers connected to the Qwest SS7 network, and call-related databases. *Id.* CLECs that use their own switching facilities can obtain access to Qwest's STPs by interconnecting their switches directly to Qwest's STPs or interconnecting their STPs with Qwest's STPs. *Id.* Qwest's signaling network and call-related databases automatically handle all call routing and database queries in the same manner, regardless of whether a query originates on a CLEC network or on Qwest's network. *Id.* Qwest's signaling network commingles all call routing messages and database queries, and Qwest's call-related databases process all queries on a first-come, first-served basis. *Id.* at 16-17.

Qwest also provides CLECs with unbundled access to the STPs linked to Qwest's call-related databases. *Id.* at 4. Qwest's call-related databases include the Line Information database ("LIDB"), InterNetwork Calling Name ("ICNAM") database, Toll Free Calling

("8XX") database, Local Number Portability ("LNP") database, Enhanced ("E911") database, and Advanced Intelligent Network ("AIN") databases. *Id.* at 4-5, 14-26. If any additional databases are determined to be necessary for call routing and completion, Qwest will make such databases and associated signaling available to requesting carriers. *Id.* at 26.

In addition to providing CLECs with access to its signaling network, STPs, and call-related databases, Qwest provides CLECs with access to Qwest's SMS to create, modify, or update information in the call-related databases, and to Qwest's service creation environment in order to design, create, test, and deploy AIN-based services. *Id.* at 5.

Qwest's call-related database updating processes commingle updates for Qwest and updates for CLECs, and thus do not distinguish between them. *Id.* at 5-6. Due to the nondiscriminatory manner ("parity by design") in which the updates are performed, the performance results are not disaggregated for Qwest and CLECs, and there is no benchmark objective for these PIDs. *Id.*

a) Qwest Is Providing Commercial Volumes at an Acceptable Level of Quality

(1) Colorado

As of March 31, 2002, the most recent period for which data is available, four facilities-based CLECs in Colorado were purchasing unbundled access to Qwest's signaling network. *Id.* at 29. As of the same date, four facilities-based carriers were purchasing access to Qwest's 8XX database, none were purchasing access to Qwest's LIDB, one was purchasing access to Qwest's ICNAM database, none were purchasing access to Qwest's AIN database, and seven were purchasing access to Qwest's LNP database, and 22 facilities-based CLECs were accessing the E911 database. *Id.*

(2) Idaho

As of March 31, 2002, the most recent period for which data is available, two facilities-based CLECs in Idaho were purchasing access to Qwest's signaling. *Id.* at 32. As of the same date, one facilities-based carriers was purchasing access to Qwest's 8XX database, one was purchasing access to Qwest's LIDB, one was purchasing access to ICNAM database, none were purchasing access to Qwest's AIN database, and one was purchasing access to Qwest's LNP database, and four facilities-based CLECs were accessing the E911 database. *Id.*

(3) Iowa

As of March 31, 2002, the most recent period for which data is available, one facilities-based CLEC in Iowa was purchasing unbundled access to Qwest's signaling network. *Id.* at 33. As of the same date, no facilities-based carriers were purchasing access to Qwest's 8XX database, one was purchasing access to Qwest's LIDB, none were purchasing access to Qwest's ICNAM database, none were purchasing access to Qwest's AIN database, and five were purchasing access to Qwest's LNP database, and nine facilities-based CLECs were accessing the E911 database. *Id.*

(4) Nebraska

As of March 31, 2002, the most recent period for which data is available, two facilities-based CLECs in Nebraska were purchasing unbundled access to Qwest's signaling network. *Id.* at 35. As of the same date, no facilities-based carriers were purchasing access to Qwest's call-related databases. *Id.*

(5) North Dakota

As of March 31, 2002, the most recent period for which data is available, no facilities-based CLECs in North Dakota were purchasing unbundled access to Qwest's signaling network. *Id.* at 36. As of the same date, two facilities-based carriers were purchasing access to

Qwest's 8XX database, one was purchasing access to Qwest's LIDB, none were purchasing access to Qwest's ICNAM database, none were purchasing access to Qwest's AIN database, and one was purchasing access to Qwest's LNP database, and one facilities-based CLEC was accessing the E911 database. *Id.*

b) Qwest's Commercial Performance is Excellent

Qwest's LIDB update process commingles Qwest and CLEC records and thus does not distinguish between updates for Qwest versus updates for CLECs. *Id.* at 5-6. Similarly, Qwest's E911 database update processes do not distinguish among updates for Qwest and updates for CLECs. *Id.* In addition, Intrado, Inc., the third party entity that manages Qwest's E911 database has committed to providing E911 database management services to all CLECs and independent companies operating in the Qwest region in a manner that is competitively neutral to, and at parity with, that provided to Qwest. *Id.* Due to the nondiscriminatory manner ("parity by design") in which the LIDB and E911 updates are performed, the performance results are not disaggregated for Qwest and CLECs. *Id.*

From January through April 2002, Qwest completed updates to the LIDB in an average of between 4.44 and 7.47 seconds in Colorado, Idaho, Iowa, Nebraska and North Dakota. *Id.* at 29-35. In the same period, Qwest completed updates to the E911 database in an average of between 2 hours, 9 minutes and 3 hours, 59 minutes in Colorado; between 1 hours, 10 minutes and 4 hours, 15 minutes in Idaho; between 57 minutes and 1 hour, 12 minutes in Iowa; between 32 minutes and 2 hours, 12 minutes in Nebraska; and between 1 hour, 7 minutes and 1 hour, 58 minutes in North Dakota. *Id.*

11. Checklist Item 11: Local Number Portability

Qwest satisfies the requirements of Section 271(c)(2)(B)(xi) of the 1996 Act and the FCC's number portability regulations. Specifically, Qwest has complied with the FCC's

long-term local number portability ("LNP") implementation schedule; performance criteria; technical, operational, architectural, and administrative requirements; and cost recovery rules for LNP. Declaration of Margaret S. Bumgarner ("Bumgarner Item 11 Decl."), Att. 5, App. A, at 4. Qwest has concrete and specific legal obligations to provide LNP pursuant to Section 10.2 of its SGAT and through its state regulator-approved interconnection agreements. *Id.* at 2-4.

As of October 2000, Qwest had deployed long-term number portability throughout Colorado, Iowa, Nebraska and North Dakota making LNP available to 100 percent of Qwest's access lines in those states. *Id.* at 9. Qwest has deployed LNP in all but two switches in Idaho, making LNP available to 98 percent of Qwest's access lines in Idaho. *Id.* Qwest deployed LNP and completed switch selection in these states in full compliance with the FCC's deployment schedule. *Id.* at 8-10.

Qwest also has complied with the FCC's LNP performance criteria through its deployment of LNP utilizing the Location Routing Number ("LRN") method in conformance with industry guidelines. *Id.* at 5. The FCC has recognized the LRN method as consistent with the FCC's LNP performance criteria. *Id.*

In addition, Qwest has complied with the FCC's technical, operational, architectural, and administrative requirements for number portability by (1) integrating National Portability Administration Center ("NPAC") Service Management System ("SMS") Provisioning Process Flows into its number porting functions and operations support systems ("OSS"); (2) implementing number portability in compliance with the NPAC SMS Functional Requirements Specification ("FRS") and Interoperable Interface Specification ("IIS"); (3) developing processes to port reserved numbers in compliance with North American Numbering Council ("NANC") policies; (4) complying with the NANC's change management

process; (5) designing Qwest's network to perform database queries as the N-1 carrier; and (6) integrating a process for the "snapback" of disconnected ported numbers to the service provider listed in the national Local Exchange Routing Guide ("LERG"). *Id.* at 19-20.

Finally, Qwest has complied with the FCC's cost recovery rules for LNP by establishing monthly number portability charges and number portability query charges in its Tariff F.C.C. No. 1 (formerly Tariff F.C.C. No. 5). *Id.* at 20. The FCC found the LNP charges in this tariff to be reasonable and lawful in an order released July 16, 1999. *Id.*

a) Qwest Is Providing Commercial Volumes at an Acceptable Level of Quality

As of March 31, 2002, Qwest had ported 532,843 telephone numbers in Colorado; 33,252 telephone numbers in Idaho; 91,024 telephone numbers in Iowa; 150,262 telephone numbers in Nebraska; and 11,947 telephone numbers in North Dakota. *Id.* at 25-29.

b) Qwest's Commercial Performance Is Excellent

(1) Colorado

Qwest's performance results show that Qwest has consistently performed above the 95% benchmark for PIDs OP-8B and OP-8C in every month. *Id.* at 24. From January through April 2002, Qwest set between 98.64% and 99.94% of LNP triggers for coordinated loop cutovers prior to the scheduled start time for the loop. *Id.* In the same period, Qwest set 99.45% to 99.68% of LSA triggers for LNP orders not requiring loop coordination prior to the scheduled start time for the LNP cutover. *Id.* Qwest also completed between 99.97% and 100% of CLEC ports without implementing associated disconnects before the scheduled time/date, consistently performing far in excess of the 98.25 percent benchmark for OP-17. *Id.* at 24-25. In addition, in the same period, Qwest cleared its retail and wholesale LNP trouble reports at parity. *Id.* at 25.